

Mar-18-1980

FILE:

Minutes File

DESCRIPTION:

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, MARCH 18, 1980
AT 8:30 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Wilson at 9:09 a.m. A recess was called by Mayor Wilson at 9:20 a.m. Mayor Wilson reconvened the meeting at 10:47 a.m. with Councilmembers Williams, Stirling and Killea not present. A recess was called by Mayor Wilson at 11:42 a.m. to reconvene at 2:00 p.m. Deputy Mayor Lowery reconvened the meeting at 2:12 p.m. with Councilmembers Williams, Schnaubelt, Killea, and Mayor Wilson not present.

ATTENDANCE DURING THE MEETING:

(M) Mayor Wilson-present.

(1) Councilmember Mitchell-present.

(2) Councilmember Cleator-present.

(3) Councilmember Lowery-present.

(4) Councilmember Williams-excused by R-251451 & R-251417 (attending Drinking Water Advisory Council Meeting in Cincinnati, OH).

(5) Councilmember Schnaubelt-present.

(6) Councilmember Gotch-present.

(7) Councilmember Stirling-present.

(8) Councilmember Killea-excused by R-251417 (attending League of Cities Meeting in Washington, D.C.).

Clerk-Abdelnour (eb,kb)

Mar-18-1980 ITEM-300:

FILE: Minutes File

DESCRIPTION:

Clerk Abdelnour called the roll: Mayor Wilson-present. Councilmember Mitchell-present. Councilmember Cleator-present. Councilmember Lowery-not present. Councilmember Williams-not present. Councilmember Schnaubelt-present. Councilmember Gotch-present. Councilmember Stirling-present. Councilmember Killea-not present.

Mar-18-1980 ITEM-200:

FILE: MEET

DESCRIPTION:

(R-80-1398) (Continued from the Meeting of February 19, 1980 at the City Manager's request.) CONFIRMING the REPORT of the Superintendent (General Services Director) showing the COST OF WEED ABATEMENT against EACH PARCEL of land in said report; authorizing the SUPERINTENDENT to BILL PROPERTY OWNERS for the cost of abatement.

NOTE: See City Manager Report CMR-80-76.

COUNCIL ACTION: (Tape location: b077-143).

Continued to April 8, 1980, 2:00 p.m., Time Certain.

Testimony given by James Falk, Carroll Hamilton, and Leo Handcox.

Motion by Mitchell to deny Mr. Hamilton's appeal. Second by Stirling. Passed by the following vote: Yeas-1,2,3,6,7. Not present-4,5,8,M.

Motion by Mitchell to direct City Manager to include in City notices the request that if ownership has changed, forward notice to new owner.

Second by

Gotch Passed by the following vote: Yeas-1,2,3,5,6. Not present-4,7,8,M.

Motion by Mitchell to reconsider Hamilton's appeal. Second by Gotch Passed by the following vote: Yeas-1,2,3,5,6. Not present-4,7,8,M.

Motion by Mitchell to uphold Hamilton's appeal and charge him \$75.00. Second by Schnaubelt. Passed by the following vote: Yeas-1,2,3,5,6. Not present-4,7,8,M.

Motion by Mitchell to deny Falk's appeal. Second by Lowery. Passed by the following vote: Yeas-1,2,3,5,6. Not present-4,7,8,M.

Motion by Mitchell to continue for full Council. No second.

Motion by Mitchell to reconsider Hamilton's appeal. No second.

Motion by Mitchell to uphold Handcox's appeal. No second.

Motion by Mitchell to direct City Manager to include in notice language stating if property owners do not clear their property, cost to them may increase.

Second by Gotch. Passed by the following vote: Yeas-1,2,3,5,6.

Not present-4,7,8,M.

Motion by Gotch to refer to T&LU for complete review with recommendations from the City Manager on fourth weed abatement program.

Second by Schnaubelt.

Passed by the following vote: Yeas-1,2,3,5,6. Not present-4,7,8,M.

MOTION BY MITCHELL TO CONTINUE TO APRIL 8, 1980, FOR A FULL COUNCIL.

Second by

Cleator. Passed by the following vote: Mitchell-yea. Cleator-yea.

Lowery-yea. Williams-not present. Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-not present. Mayor Wilson-not present.

Mar-18-1980 ITEM-330:

FILE: SUBD TM-79-268

DESCRIPTION:

(R-80-) APPEALS of PAUL S. BACKALL and SOLOMON MEDOW, from the decision of the PLANNING COMMISSION in APPROVING TENTATIVE SUBDIVISION MAP TM-79-268

(VILLA MADRID) which proposes a one-lot subdivision for condominium conversion purposes of 50 existing units. The subject property is located on the west side of 54th Street, north of Trojan Avenue in the CO ZONE and within the boundaries of the Mid-City Community Plan, and is more particularly described as PARCEL A, PARCEL MAP-549. (DISTRICT-3) (TM-79-268) Today's action is adoption of a RESOLUTION granting the appeal and denying the map, or denying the appeal and granting the map with appropriate findings to support Council action.

COUNCIL ACTION: (Cassette location: B054-B593).

Appeal denied.

Hearing began 11:04 a.m. and halted 11:39 a.m.

Testimony in favor of the appeal by Solomon Medow.

Testimony in opposition by John Hecht.

MOTION BY LOWERY TO CLOSE THE HEARING AND ADOPT RESOLUTION DENYING THE APPEAL

AND GRANTING THE MAP. Second by Schnaubelt. Failed by the following vote:

Mitchell-nay. Cleator-yea. Lowery-yea. Williams-not present.

Schnaubelt-yea. Gotch-nay. Stirling-not present. Killea-not present. Mayor Wilson-yea.

Appeal deemed denied and Planning Commission approval upheld due to lack of five affirmative votes.

Mar-18-1980 ITEM-331:

FILE:

DESCRIPTION:

APPEAL of SKYLINE PARADISE HILLS PLANNING COMMITTEE, by Harriett Florence and

Ed Spencer, from the decision of the PLANNING COMMISSION in APPROVING PRELIMINARY PARCEL MAP PM-79-411 which proposes a four-lot division of a portion of SECTION 100, RANCHO DE LA NACION, MAP-166. The subject property is located at the intersection of Tonawanda Drive and Valley Road in the R-1-5 ZONE and within the boundaries of the South Bay Terraces Development Plan. (DISTRICT-4) (PM-79-411)

Subitem-A: (R-80-)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-79-08-53 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council;

Subitem-B: (R-80-)

Adoption of a RESOLUTION granting the appeal and denying the map, or denying the appeal and granting the map with appropriate findings to support Council action; and

Subitem-C: (R-80-)

Adoption of a RESOLUTION containing the findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with ENVIRONMENTAL IMPACT REPORT EIR-79-08-53.

COUNCIL ACTION: (Cassette location: A430).

Continued to March 25, 1980.

MOTION BY GOTCH TO CONTINUE TO MARCH 25, 1980, AT COUNCILMEMBER WILLIAMS'S

REQUEST. Second by Lowery. Passed by the following vote: Mitchell-yea.

Cleator-yea. Lowery-yea. Williams-not present. Schnaubelt-yea. Gotch-yea.

Stirling-not present. Killea-not present. Mayor Wilson-yea.

Mar-18-1980 ITEM-332:

FILE: -

DESCRIPTION:

APPEAL of DAVID SNODGRASS and ROBERT BOWLUS from the decision of the PLANNING

COMMISSION in DENYING PRELIMINARY PARCEL MAP PM-79-487 which proposes a two-lot division of a portion of LOT M, FREMONT HEIGHTS, MAP-1470. The subject

property is located on the south side of Whitman Street at Hortensia Street in the R-1-5 (HR) ZONE and within the boundaries of the Uptown Community Plan. (DISTRICT-2) (PM-79-487)

Subitem-A: (R-80-)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-79-11-03 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council; and

Subitem-B: (R-80-)

Adoption of a RESOLUTION granting the appeal and denying the map, or denying the appeal and granting the map with appropriate findings to support Council action.

COUNCIL ACTION: (Cassette location: A465-B050).

Referred to Planning Commission.

Hearing began 10:50 a.m. and halted 11:03 a.m.

Testimony by David Snodgrass requesting matter to be referred to the Planning

Commission for consideration as a Planned Residential Development.

Testimony in opposition by Arlene Van de Wetering, Ed Deverill and George Stevens.

MOTION BY CLEATOR TO CLOSE THE HEARING AND REFER THE MATTER TO THE PLANNING

COMMISSION TO CONSIDER AS A PLANNED RESIDENTIAL DEVELOPMENT. Second by

Mitchell. Passed by the following vote: Mitchell-yea. Cleator-yea.

Lowery-yea. Williams-not present. Schnaubelt-yea. Gotch-nay. Stirling-not present. Killea-not present. Mayor Wilson-yea.

Mar-18-1980 ITEM-333:

FILE: STRT

DESCRIPTION:

(R-80-) PAVING and otherwise improving HALLER STREET between Maple Street and I-805 - on Assessment Roll No. 3916. (1911 Street Improvement Act.)

(DISTRICT-8) Today's action is adoption of a RESOLUTION confirming the assessment.

COUNCIL ACTION: (Cassette location: B595).

Adopted as Resolution R-251418.

Hearing began 11:40 a.m. and halted 11:41 a.m.

MOTION BY LOWERY TO ADOPT. Second by Gotch. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-yea. Williams-not present.

Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-not present. Mayor Wilson-yea.

Mar-18-1980 ITEM-334:

FILE: STRT K-116

DESCRIPTION:

(R-80-1246) Establishing an UNDERGROUND UTILITY DISTRICT to be known and denominated as the GASLAMP QUARTER (4th Avenue to 6th Avenue and Market Street to "L" Street) UNDERGROUND UTILITY DISTRICT. (Centre City Community area.

DISTRICT-8)

Today's action is adoption of a RESOLUTION declaring the area an Underground Utility District.

COUNCIL ACTION: (Cassette location: B620).

Adopted as Resolution R-251419.

Hearing began 11:41 and halted 11:42.

MOTION BY LOWERY TO CLOSE THE HEARING AND ADOPT. Second by Mitchell.

Passed

by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-not present. Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-not present. Mayor Wilson-yea.

Mar-18-1980 ITEM-335:

FILE: DEED F-414

DESCRIPTION:

Two Resolutions relative to the Redevelopment Agency of San Diego:

Subitem-A: (R-80-1628)

Approving the WORK PROGRAM AND BUDGET for the MARINA/COLUMBIA RESIDENTIAL

PROJECT; authorizing the CITY AUDITOR to TRANSFER the sum of \$2,639,633 from COMMUNITY DEVELOPMENT BLOCK GRANT FUND 18516 to the REDEVELOPMENT AGENCY as an

advance to be repaid from tax increments or other project revenues for the purpose of IMPLEMENTING said project; authorizing the EXECUTIVE DIRECTOR of the Agency or his designee to EXPEND the sum of \$2,639,633 from COMMUNITY DEVELOPMENT BLOCK GRANT FUND 18516 for the purpose of IMPLEMENTING said project. (Centre City Community area. DISTRICT-8)

NOTE: See City Manager Report CMR-80-148.

Subitem-B: (R-80-1629)

Authorizing the execution of a GRANT DEED conveying to the Redevelopment Agency LOTS C, D, E, F, G and H in BLOCK 44 of NEW SAN DIEGO. (Centre City Planning area. DISTRICT-8)

NOTE: See Executive Vice President's report of March 5, 1980.

COUNCIL ACTION: (Cassette location: A251-412).

Subitem-A adopted as Resolution R-251420.

Subitem-B adopted as Resolution R-251421.

MOTION BY STIRLING TO ADOPT. Second by Gotch. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-yea. Williams-not present.

Schnaubelt-nay. Gotch-yea. Stirling-yea. Killea-not present. Mayor

Wilson-ye

Mar-18-1980 ITEM-336:

FILE: PERM CCP-40

DESCRIPTION:

(R-80-) (Continued from the Meeting of February 19, 1980 at Councilmember Gotch's request.) APPEAL of JAMES E. HARRIS from the decision of the PLANNING COMMISSION in GRANTING CONDOMINIUM CONVERSION PERMIT NO. 40, which proposes

the conversion of existing apartment units (CANDLELIGHT APARTMENTS) to condominiums. The subject property is located on the north side of Arey Drive between Churrituck Drive and Norstad Street, in the R-2 ZONE and within the

boundaries of the Otay Nestor Community Plan, and is more particularly described as LOTS 161 through 166, ROYAL PARK UNIT NO. 2, MAP-7001. (DISTRICT-8) (CCP-40)

Today's action is adoption of a RESOLUTION granting the appeal and denying the permit, or denying the appeal and granting the permit with appropriate findings to support Council action.

NOTE: Hearing open, no testimony taken on 2-19-80.

COUNCIL ACTION: (Tape location: b007-012 and b038-077).

Appeal denied.

Hearing began at 2:19 p.m. Hearing halted at 2:24 p.m.

Hearing began at 2:52 p.m. Hearing halted at 3:28 p.m.

Testimony was given by Jeff Mason, Hans Jovishoff, and Christina Kavgazoff.

Motion by Gotch to continue for one week for Killea's presence. No second.

MOTION BY CLEATOR TO DENY THE APPEAL. Second by Lowery. Failed by the following vote: Mitchell-nay. Cleator-yea. Lowery-yea. Williams-not present. Schnaubelt-not present. Gotch-nay. Stirling-yea. Killea-not present. Mayor Wilson-not present.

Due to the lack of five affirmative votes the motion to deny the appeal fails.

Therefore, the permit stands as approved by Planning.

Mar-18-1980 ITEM-337:

FILE: PERM CCP-42

DESCRIPTION:

(R-80-) (Continued from the Meeting of February 19, 1980 at Mr. Field's request.) APPEAL of PACIFIC PLAZA TERRACE APARTMENTS TENANTS ASSOCIATION, by

Shirley Kadisch, from the decision of the PLANNING COMMISSION in GRANTING CONDOMINIUM CONVERSION PERMIT NO. 42, which proposes the conversion of existing apartment units (PACIFIC PLAZA TERRACE APARTMENTS) to condominiums.

The subject property is located on the south side of Emerald Street between Ingraham and Jewell Streets, in the CO ZONE and within the boundaries of the Mission-Pacific Beach Community Plan, and is more particularly described as LOTS 6 through 16, BLOCK 183, PACIFIC BEACH, MAP-854. (DISTRICT-6) (CCP-42)

Today's action is adoption of a RESOLUTION granting the appeal and denying the permit, or denying the appeal and granting the permit with appropriate findings to support Council action.

NOTE: Hearing open, no testimony taken on 2-19-80. District 5 not present.

COUNCIL ACTION: (Tape location: b002-007).

Continued to March 25, 1980.

Hearing began at 2:13 p.m. Hearing halted at 2:19 p.m.

Testimony on continuance by Dave Durkin and Allen Perry.

MOTION BY GOTCH TO CONTINUE TO MARCH 25, 1980, AT DAVE DURKIN'S REQUEST AND

REQUEST SUBDIVISION MAP REVIEW BOARD GRANT AN EXTENSION BEYOND

THE ONE YEAR

PERIOD FOR THE TENTATIVE MAP TO BECOME FINALIZED. Second by Stirling.
Passed

by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-not present. Schnaubelt-not present. Gotch-yea. Stirling-yea. Killea-not present. Mayor Wilson-not present.

Mar-18-1980 ITEM-338:

FILE: MEET

DESCRIPTION:

Proposal to amend CHAPTER X (Planning and Zoning Regulations) of the Municipal Code by amending ARTICLE 1 by:

- (1) Amending Division 5 by deleting Paragraph A.5. from Section 101.0507 (requirement that mobile home parks have approved Conditional Use Permit);
- (2) Amending Division 9, Section 101.0900 (providing for the inclusion of mobile homes in the Planned Residential Development regulations); and
- (3) Adding Division 10, Sections 101.1000 through 101.1008 (providing for Mobile Home Park Overlay Zone and procedure for discontinuance of a Mobile Home Park).

Subitem-A: (R-80-1633)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. END-79-08-44 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council;

Subitem-B: (O-80-255)

INTRODUCTION of an ORDINANCE amending Division 5 by deleting Paragraph A.5. from Section 101.0507;

Subitem-C: (O-80-254)

INTRODUCTION of an ORDINANCE amending Division 9, Section 101.0900; and

Subitem-D: (O-80-256)

INTRODUCTION of an ORDINANCE adding Division 10, Sections 101.1000 through 101.1008.

COUNCIL ACTION: (Tape location: b012-037).

Subitem-A adopted as Resolution R-251425.

Subitem-B introduced, to be adopted March 31, 1980.

Subitem-C introduced, to be adopted March 31, 1980.

Subitem-D introduced as amended, to be adopted March 31, 1980.

Hearing began at 2:25 p.m. Hearing halted at 2:52 p.m.

Testimony given by Larry Marshall, R. Walters, Scott Ferguson, and John Fiedl.

MOTION BY STIRLING TO CLOSE THE HEARING ADOPT (A) AND INTRODUCE (B), (C), AND

(D). AMENDING (D) TO INCLUDE ITEM 10, THELAND AND MARSHALL'S AMENDMENT,

AND PLANNING'S RECOMMENDATIONS. Second by Gotch. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-not present.

Schnaubelt-not present. Gotch-yea. Stirling-yea. Killea-not present. Mayor Wilson-not present.

Mar-18-1980 ADJOURNMENT:

FILE: Minutes File

DESCRIPTION:

By Common Consent the Council Meeting adjourned in memory of Gyoergyike Goldstein.